

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

LAURIE REDMANN,

Civil 04-1669 JRT/FLN

Plaintiff,

v.

O R D E R

JO ANNE B. BARNHART,
COMMISSIONER OF SOCIAL SECURITY,

Defendants.

RANDALL J. FULLER, Esq., **MIDWEST DISABILITY**, 118 East Main Street, Anoka, Minnesota 55303, for plaintiff.

LONNIE F. BRYAN, Assistant United States Attorney, **OFFICE OF THE UNITED STATES ATTORNEY**, 600 United States Courthouse, 300 South 4th Street, Minneapolis, Minnesota 55415, for defendants.

Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Franklin L. Noel dated May 9, 2005, all the files and records, and no objections having been filed to said Report and Recommendation,

IT IS HEREBY ORDERED that:

1. Plaintiff's motion for summary judgment [#8] is DENIED;
2. Defendant's motion for summary judgment [#10] is DENIED; and
3. The Commissioner's decision is REVERSED and the case is remanded for

further administrative proceedings consistent with Magistrate Judge Noel's Report and Recommendation.

DATED: June 2, 2005
at Minneapolis, Minnesota

s/John R. Tunheim
JOHN R. TUNHEIM
United States District Judge